

Message Text

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ORIGIN ARA-10

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ARA:AMBASSADOR BOWDLER

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FM SECSTATE WASHDC

TO AMEMBASSY MEXICO PRIORITY

C O N F I D E N T I A L STATE 274804

E.O. 11652: GDS

TAGS: PFOR, MX

SUBJECT: FOREIGN SECRETARY'S NOTES ON ILLEGALS

REF: (A) MEXICO 9811, (B) MEXICO 9812

1. IN RESPONSE TO FOREIGN SECRETARY RABASA'S NOTE, NO. 512046, REGARDING ADJUSTMENT OF STATUS AND DEPORTATION PROCEDURES FOR MEXICAN NATIONALS, THE EMBASSY MAY WISH TO DRAW UPON FOLLOWING: QUOTE:

THERE IS NO AUTHORIZATION UNDER CURRENT U.S. IMMIGRATION LAW FOR GRANTING TO MEXICAN NATIONALS IN U.S. FACILITIES OF THE KIND YOU HAVE PROPOSED. NEITHER IS THERE AUTHORIZATION UNDER THE LAW WHICH WOULD ENABLE THE USG TO GIVE ASSURANCES THAT SUCH PERSONS WOULD NOT BE DEPORTED FROM U.S.

THERE DOES EXIST UNDER CURRENT U.S. LAW A PROVISION UNDER WHICH AN ALIEN IN U.S. MAY ACQUIRE PERMANENT RESIDENCE IF HE ENTERED THE U.S. PRIOR TO JUNE 30, 1948 AND HAS RESIDED CONTINUOUSLY IN U.S. SINCE THAT TIME. MEXICAN NATIONALS WHO MEET THE GENERAL REQUIREMENTS OF
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THIS PROVISION OF LAW MAY BEGIN TO BENEFIT THEREFROM ON

THE SAME BASIS AS ALL OTHER QUALIFIED ALIENS.

OTHER MEXICAN NATIONALS PHYSICALLY PRESENT IN U.S.
BUT NOT HAVING THE STATUS OF AN ALIEN LAWFULLY ADMITTED
FOR PERMANENT RESIDENCE, WHO SEEK TO ACQUIRE SUCH STATUS
MUST DO SO THROUGH QUALIFYING FOR AND OBTAINING AN IMMI-
GRATION VISA AT A U.S. CONSULAR OFFICE OUTSIDE THE U.S.
UNDER EXISTING REGULATIONS AND PROCEDURES; THE CONSULAR
OFFICE AT WHICH SUCH A PERSON WOULD INITIATE AND PROCESS
SUCH AN APPLICATION WOULD BE THE CONSULAR OFFICE LOCATED
IN THE AREA OF HIS LAST RESIDENCE PRIOR TO ENTRY INTO
THE U.S. END OF QUOTE.

2. EMBASSY MAY ALSO WISH TO REMIND SECRETARY RABASA THAT,
AS HE IS AWARE, LEGISLATION IS PENDING BEFORE THE CONGRESS
WHICH WOULD AMEND PRESENT PROVISIONS OF IMMIGRATION AND
NATIONALITY ACT CONCERNING THE ADJUSTMENT OF STATUS FOR
ALIENS WHO HAVE BEEN ADMITTED OR PAROLED INTO THE U.S.
AND THAT SUCH LEGISLATION IF ENACTED COULD WORK IN FAVOR
OF SOME MEXICAN NATIONALS CURRENTLY RESIDING ILLEGALLY
IN THE U.S.

3. IN DELIVERING THE REPLY TO NOTE 512046, THE EMBASSY
SHOULD INFORM THE FOREIGN MINISTRY ORALLY THAT WE ARE
WORKING ON THE QUESTION OF A COMMISSION TO STUDY THE
ISSUE OF MIGRATORY WORKERS AND EXPECT TO BE IN A POSITION
TO ANSWER NOTE 512047 IN THE NEAR FUTURE.

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